

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

LASHAWN WASHINGTON,

Plaintiff,

v.

Case No. 8:20-cv-853-T-60SPF

HILLSBOROUGH COUNTY
COMMISSION,

Defendant.

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**ORDER DENYING “MOTION TO REOPEN CASE” AND DENYING WITHOUT
PREJUDICE “MOTION FOR PRELIMINARY INJUNCTION”**

This case was initiated by Plaintiff Lashawn Washington on April 14, 2020, when she filed a motion seeking a temporary restraining order to enjoin Defendant Hillsborough County Commission from imposing and enforcing a curfew in Hillsborough County, Florida. (Doc. 1). The Court denied Plaintiff’s motion after concluding that she had failed to meet the high burden for the issuance of a temporary restraining order. (Doc. 2). The Court informed Plaintiff that if she decided to proceed by filing a complaint, she also needed to file a separate *in forma pauperis* motion to proceed without costs.

On April 27, 2020, the Court ordered Plaintiff to show cause why the action should not be dismissed due to her failure to file a complaint. (Doc. 3). Plaintiff responded and requested that the Court dismiss her complaint without prejudice. (Doc. 4). The case was dismissed without prejudice on May 7, 2020. (Doc. 5).

On June 24, 2020, Plaintiff filed (1) a motion to reopen the case and (2) a motion for a preliminary injunction to enjoin Defendant Hillsborough County Commission from

imposing and enforcing a requirement that all persons wear face masks in public when social distance cannot be maintained. (Docs. 6; 7).

Upon review, the Court finds that Plaintiff has not provided good cause to reopen the instant case. Plaintiff failed to file a complaint or a motion to proceed *in forma pauperis* in this action. When the Court directed her to show cause as to why the case should not be dismissed, Plaintiff conceded to dismissal. *Moreover, Plaintiff's instant motion for preliminary injunction, concerning a face mask requirement, is completely different from her original motion for temporary restraining order which concerned a curfew.* Plaintiff is not precluded from filing a new action and either paying the required filing fee or requesting to proceed *in forma pauperis* in that case. But the Court declines to allow Plaintiff to reopen the instant case and proceed here.

It is therefore **ORDERED, ADJUDGED, and DECREED:**

1. Plaintiff's "Motion to Reopen Case" (Doc. 6) is hereby **DENIED**.
2. Plaintiff's "Motion for Preliminary Injunction" (Doc. 7) is hereby **DENIED**

WITHOUT PREJUDICE.

3. This case remains closed.

DONE and ORDERED in Chambers, in Tampa, Florida, this 25th day of June, 2019.



TOM BARBER
UNITED STATES DISTRICT JUDGE